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Attorneys for Defendant,
GC Services Limited Partnership

DANIELLE PISARZ, on behalf of himself
and all others similarly situated,

Plaintiffs,

- v. -

GC SERVICES LIMITED PARTNERSHIP,
and JOHN DOES 1-25,

Defendants.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

3:16-cv-04552-FLW-TJB

NOTICE OF MOTION TO DISMISS

Motion Day: September 19, 2016

To: Ari Marcus, Esq.
Yitzchak Zelman, Esq.
MARCUS & ZELMAN, LLC
1500 Allaire Ave., Ste. 101
Ocean, New Jersey 07712

PLEASE TAKE NOTICE that, upon the accompanying Defendant's Brief in Support of its Motion to Dismiss, the undersigned will move this Court, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State St., Trenton, New Jersey, 08608, before the Honorable Freda L. Wolfson on September 19, 2016, for an Order under Rule 12(b)(1) or, in the alternative, under Rule 12(b)(6) of the Federal Rules of Civil Procedure granting Defendant's motion to dismiss thereby dismissing the Complaint and each count thereof on the grounds this Court lacks subject matter jurisdiction due to Plaintiff's lack of standing and Plaintiff's failure to state a claim upon which relief can be granted, and granting Defendant such other and further relief as is just and proper.

LEWIS BRISBOIS BISGAARD & SMITH LLP

Dated: August 25, 2016

/s/ Jeffrey Spiegel

Jeffrey Spiegel, Esq.

Attorneys for Defendant, GC Services Limited Partnership

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CERTIFICATE OF SERVICE

Jeffrey Spiegel, an attorney duly admitted to practice before this Court, certifies that on August 25, 2016, he caused to be served and filed via ECF the Notice of Motion to Dismiss, proposed Order and Defendant's Brief in Support of its Motion to Dismiss. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Jeffrey Spiegel

Jeffrey Spiegel